

This Portion contains the following comment letters:

Local Organizations

| | | |
|----------|--|--------|
| Letter L | John Hoegemeeir, San Diego & Imperial Valley Roadway | PR-88 |
| Letter M | Foley & Lardner LLP, Attorneys at Law | PR-90 |
| Letter N | Nicholas Aguilar, San Diego County Board of Education District 2 | PR-113 |

RESPONSE

Steve Power

From: John Hoegemeier [hoegjohn@yahoo.com]
Sent: Wednesday, November 02, 2005 12:31 PM
To: Steve Power
Subject: Input on Chula Vista DEIR, Re: Freight Rail Noise

Steve,

We appreciate the detailed work done on this DEIR. The considerations for rail noise are comprehensive.

- L-1** There is one change we would like to request. With freight volumes increasing, especially the volumes crossing the border to Mexico at San Ysidro, there is the strong possibility that the night time freight train volumes could double from one each way to two each way within the DEIR evaluation period. The last sentence on the bottom of page 439 states that there is no plan to expand freight service on the freight line. Although the number on on line customers in Chula Vista is not expected to increase, the number of though carloads, and hence the numbers of trains is very likely to increase.

My calculations for the CNEL are in close agreement with those in the DEIR. We would request that the final EIR address the likelihood of increased freight train volumes.

I have attached a working spreadsheet that shows the 65dB Ldn contours for both the existing 2 train per night volume, and a future volume of up to 4 trains per night. CNEL distances will be higher of course due to the after 10PM occurrences.

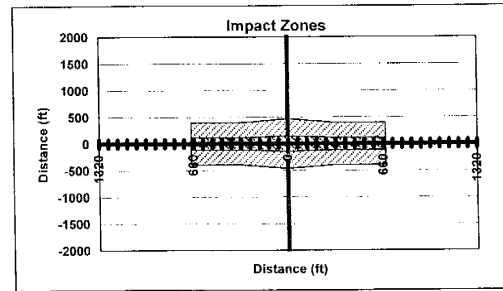
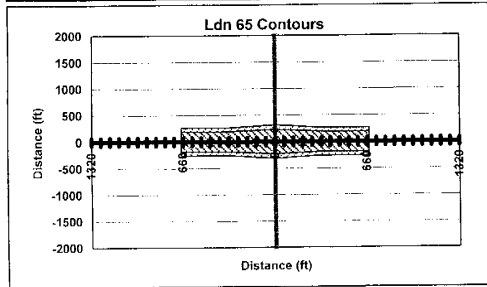
Thank you, and please contact me if you have any questions.

John Hoegemeier
 Consultant to
 San Diego & Imperial Valley Railroad
 (619) 417-3930

- L-1** The EIR analyzed the current freight service because there is no plan to expand freight service along the rail line through Chula Vista and it is speculative that the number of carloads and trains would increase. The EIR did analyze a doubling of the number of daily trolley trips for trolley service which likely would increase. Specific forecasts for the plan year 2030 are not available; however, a doubling of the number of daily trolley trips would result in an increase in CNEL by three decibels. This would place the 65 dB(A) CNEL contour at a distance about 500 feet from the tracks. Compliance with the proposed General Plan Update objectives and policies would not expose people to excessive noise because the policies require future projects to comply with the exterior land use-noise compatibility guidelines contained in Table 5.12-7 of this EIR.

FRA Grade Crossing Noise Model

| User Input | | Noise Situation | | Shielding | | Ldn 65 Contours Numeric Output (in feet) | |
|---|-----|--|---|------------------------------|---|--|-----|
| Noise Situation (Pick from List) | 1 | Horns Existing and Future | 1 | Dense Urban | 1 | Existing 65 Ldn Contour at X-ing | 231 |
| Horn Lmax (dBA) @ 100 feet | 104 | Horns in Future Only | 2 | Light Urban | 2 | Future 65 Ldn Contour at X-ing | 315 |
| Horn Location on Locomotive (Pick from List) | 2 | No Horns Existing and Future | 3 | Dense Suburban | 3 | Existing 65 Ldn Contour at 1/2 zone length | 190 |
| Non Train Noise Environment (pick from list) | 2 | | | Light Suburban | 4 | Future 65 Ldn Contour at 1/2 zone length | 263 |
| Shielding (Pick from List) | 4 | | | Rural | 5 | Zone Length | 675 |
| Length of Impact Area (pick from list) | 3 | | | No Shielding | 6 | 1/2 Zone Length | 338 |
| Existing Train Speed (mph) | 45 | Horn Location on Locomotive | | Length of Impact Area | | Impact Zones Numeric Output (in feet) | |
| Future Train Speed (mph) | 45 | National Average (50% front, 50% middle) | 1 | 1/4 mile | 1 | Impact Distance at X-ing | 467 |
| Number of Existing Trains in one Direction | 2 | All Front Mounted | 2 | 20 seconds | 2 | Severe Impact Distance at X-ing | 143 |
| Number of Future Trains in one Direction | 4 | All Middle Mounted | 3 | 15 seconds | 3 | Impact Distance at 1/2 zone length | 394 |
| Existing Number of Day Trains (7 am to 10 p.m.) | 0 | User Defined | 4 | | | Severe Impact Distance at 1/2 zone length | 115 |
| Future Number of Day Trains (7 am to 10 p.m.) | 0 | | | | | Zone Length | 675 |
| Existing Number of Night Trains (10 p.m. to 7 am) | 2 | Non Train Noise Environment | | | | 1/2 Zone Length | 338 |
| Future Number of Night Trains (10 p.m. to 7 am) | 4 | Urban | 1 | | | | |
| Existing Average Number of Cars | 40 | Suburban | 2 | | | | |
| Future Average Number of Cars | 40 | Rural | 3 | | | | |
| Existing Average Number of Locomotives | 2 | User Defined Ldn = | 4 | | | | |
| Future Average Number of Locomotives | 2 | 50 dBA | | | | | |



November 2, 2005

VIA FACSIMILE AND U.S. MAIL

Steve Power, AICP
Environmental Projects Manager
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

Re: Public Comment on Recirculated Draft EIR for General Plan Update

Dear Mr. Power:

We present this letter and attachments as a public comment to the Recirculated Draft Environmental Impact Report ("DEIR"), dated September 2005, for the City of Chula Vista's ("City") General Plan Update ("GPU").

Public review of the initial December 2004 Draft EIR emphasized that pursuant to CEQA Guidelines Section 15088.5, the Draft EIR was inadequate and needed to be revised and recirculated. As a result, the City appropriately decided to revise and recirculate the EIR. Although the revised document addresses many of the concerns raised by the public during the initial comment period, many issues are not sufficiently addressed. Further revision and recirculation of the document is again warranted to disclose and analyze significant adverse impacts to housing.

M-1 1. Maximum Mid-Rise Development Within Transit Focus Area ("TFA").

At the October 4, 2005 City Council Meeting, Mayor Padilla requested that staff prepare an option for the Proposed GPU to limit development within the TFA to mid-rise projects only. We understand that at the November 1, 2005 City Council meeting (yesterday evening), the Council reviewed the proposed revision and directed staff to include the mid-rise limit option in the proposed GPU. We believe that the TFA mid-rise option is consistent with, and covered by the DEIR because it would result in reduced intensity and density of potential development in the TFA. We encourage the City Council to adopt the mid-rise option for the TFA.

M-2 2. Adverse Impacts to Housing.

As you are aware, the City has not revised the Housing Element of its General Plan in several years. Although the City is currently updating the General Plan, it is improperly excluding any update of the Housing Element. As a result, DEIR improperly relies on the outdated "expired" Housing Element, and thus fails to adequately address impacts to housing. As a local government within the planning jurisdiction of the San Diego Association of Governments, the City missed its June 30, 2005 legislative deadline to update its Housing Element. (See, Gov. Code §65588(e)(5).)

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CLIENT/MATTER NUMBER
107841-0104

RESPONSE

M-1 The comment requests that the City Council adopt the mid-rise option for the TFA. This comment addresses the proposed project itself, not the EIR and will be forwarded to the decision makers for their consideration.

M-2 This comment suggests that the dEIR improperly relies on the outdated "expired" Housing Element, and thus fails to adequately address impacts to housing. The current Housing Element is not expired. The current Chula Vista Housing Element covers the five-year period from 1999 to 2004, and was originally self-certified by the City on December 19, 2000, pursuant to a state-approved program for jurisdictions in the San Diego region. Jurisdictions within the San Diego Association of Government's COG are currently working on Housing Element updates for the 2005 to 2010 planning cycle. As stated on Page 574 in the recirculated dEIR, Chula Vista currently anticipates adoption of the Housing Element update in 2006. Pursuant to California Government Code Section 65588.1 (a) the planning period of existing housing elements prepared pursuant to subdivision (b) of Section 65588 shall be extended through the housing element due date prescribed in subdivision (e) of Section 65588. Local governments shall continue to implement the housing program of existing housing elements and the annual review pursuant to Section 65400.

The recirculated dEIR appropriately relies on the existing Housing Element, located in Chapter 7 of the General Plan Update, which is still in effect. Amendments to the Housing Element are not a part of the proposed project.

PR-90

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DETROIT

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SAN DIEGO/DEL MAR
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WEST PALM BEACH

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Steve Power
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Page 2

RESPONSE

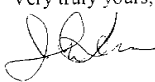
The California Department of Housing and Community Development ("HCD") recently indicated in response to a Public Records Act request that not only did the City fail to update its Housing Element by the June 30, 2005 deadline, the HCD has no public record of any communication from the City anytime during the past year concerning its Housing Element.

M-3 Although the revised DEIR discloses that there are additional unmitigable, significant adverse impacts not disclosed in the initial EIR (including land use, population, visual quality, and noise impacts), the DEIR does not acknowledge the significant impact to housing. The DEIR should therefore include an analysis based upon a draft Revised Housing Element, and should be recirculated for review and comment.

3. Additional Comments Attached.

Attached are additional comments prepared by expert consultants: The Planning Center and Urban Crossroads. The Planning Center is an environmental and planning firm founded 30 years ago. The Planning Center has prepared thousands of environmental documents pursuant to CEQA, including numerous EIRs for General Plans. It has successfully completed certified EIRs for General Plans for the Cities of Anaheim, Rancho Cucamonga, and Fontana, as well as the County of Riverside, and is currently completing General Plan Update EIRs for Rancho Mirage, Palm Springs, and the City of San Bernardino. The Project Manager for this review, JoAnn Hadfield, has an urban planning and civil engineering education and 22 years of environmental experience preparing CEQA compliance documents.

Thank you for this opportunity to provide comments on the DEIR. Please make sure my office is on your notice list for actions related to the GPU process.

Very truly yours,

John C. Lemmo

M-3 See Response to Comment M-2 above.

Attachments
cc: Mayor Steve Padilla
Earl Jentz

PR-91



RESPONSE

*Governmental Services
Planning & Urban Design
Environmental Studies
Landscape Architecture*

November 2, 2005

Mr. Earl Jentz
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Chula Vista, CA 91910

1580 Metro Drive
Costa Mesa, CA 92626
Phone: 714.966.9220
Fax: 714.966.9221
costamesa@planningcenter.com

Subject: Review of the Recirculated Draft Environmental Impact Report for the City of Chula Vista General Plan Update, September 2005

Dear Mr. Jentz:

This letter provides the results of our Third-Party adequacy review of the Recirculated Draft Environmental Impact Report (DEIR) for the City of Chula Vista's General Plan Update. This effort follows our review the City's original General Plan EIR (December 2004) and includes both a determination of whether changes were made to adequately address our previous comments, and an assessment of the supplemental environmental information and conclusions provided in the revised document. As with our previous review, our review focuses on compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, as amended through January 1, 2005.

Our review comments are included on the following pages. We have organized our comments as follows:

- **Overview Comments** – these comments summarize our primary concerns with respect to legal adequacy and issues which are still outstanding with the Recirculated DEIR.
- **Comments by EIR Section** – this section provides an assessment of the revisions and modified conclusions of the Recirculated Draft DEIR by chapter or technical section reference. This section also identifies key comments from our previous review that have not been addressed. An updated peer review of transportation issues by Urban Crossroads is summarized in this section and attached to this package.

- M-4** Our review of the original Draft EIR emphasized that pursuant to CEQA Guidelines Section 15088.5, the Draft EIR was inadequate and needed to be revised and recirculated. The revised document is substantially improved and addresses many of our concerns. As detailed in the attached comments however, it remains inadequate and many issues remain to be addressed. Moreover, we believe that recirculation of the document is again warranted to disclose a new significant impact. Although the revised document discloses that there are additional unmitigatable, significant adverse impacts not disclosed in the original EIR (including land use, population, visual quality, and noise impacts), it does not acknowledge a significant impact to housing. We believe that housing impacts are

- M-4** This comment states that the Population and Housing section does not acknowledge a significant impact to housing. The dEIR acknowledges a significant impact to housing as a result of the proposed project. Threshold 1 of the Housing and Population section of the dEIR states that impacts to housing and population would be significant if the proposed project would induce substantial population growth in an area, either directly or indirectly. As stated on Page 581 of the dEIR:

Because the Preferred Plan and any of the Scenarios would induce growth it is a significant impact in accordance with Threshold 1

Furthermore, it concludes that because the General Plan Update establishes greater capacity for development, the impact remains significant and not mitigated.

November 2, 2005
Page 2

inadequately addressed and that implementation of the Preferred Plan would result in a significant impact. Under Section 15088.5, recirculation is required when: "new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification." Under this provision, "significant new information" requiring recirculation includes, a disclosure that:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

Overall, the Draft EIR is inadequate and if not revised, supplemented, and recirculated, meaningful public review of the environmental consequences of the proposed General Plan Update will have been precluded. Moreover, without supplemental information presented in understandable manner, the City's decision-makers will not be able to make an informed decision on the General Plan Update.

The Planning Center is an environmental and planning firm founded 30 years ago. We have prepared thousands of environmental documents pursuant to CEQA, including numerous EIRs for General Plans. We have successfully completed certified EIRs for General Plans for the Cities of Anaheim, Rancho Cucamonga, and Fontana, as well as the County of Riverside, and currently are completing General Plan Update EIRs for Rancho Mirage, Palm Springs, and the City of San Bernardino. Our Project Manager for this review, JoAnn Hadfield, has an urban planning and civil engineering education and 22 years of environmental experience preparing CEQA compliance documents.



We appreciate this opportunity to be of service. If you have any questions regarding our review or specific comments, please contact us.

Sincerely,

JoAnn C. Hadfield
Associate Director of Environmental Services

Attachments

REVIEW OF THE RECIRCULATED DRAFT EIR

OVERVIEW COMMENTS

- M-5 The new “Population and Housing” section is cursory and does not acknowledge a significant impact to housing.**

The existing conditions for this topical section consists of one four-line paragraph to address both housing and population on a Citywide basis. The only information provided on housing is the total number of units Citywide. There is no assessment of adequacy, condition, distribution or affordability of the City's housing supply. Similarly, there is no quantified or geographical analysis of housing units that would be displaced by the project. Although population is acknowledged as a significant impact, this section concludes that housing impacts are less than significant because displaced housing units can be accommodated within the General Plan area. The ability of the General Plan land use designations to accommodate additional units does not mitigate the housing that will be lost or eliminate the need for 'construction or replacement of housing elsewhere.' The displacement of people and housing units should both be considered undisclosed, significant adverse impacts of the proposed project thus requiring recirculation of the Draft EIR.

The Recirculated DEIR fails to adequately evaluate or mitigate significant visual quality impacts. A visual simulation of the mass and scale of potential development in the Urban Core (particularly the H-Street corridor) should be provided to disclose impacts.

The Recirculated DEIR concludes that community character and visual quality impacts would be significant and relates both these impacts in part to acknowledging increases in massing, height and intensity in the Urban Core. The 'scale' of allowed development under the Preferred Plan in the Urban Core can and should be evaluated in the EIR with visual simulations of potential massing and height of structures.

General Plan policies without specified timelines do not mitigate significant impacts for which CEQA mandates the provision of feasible mitigation measures.

For example, the new policy (LUT #49.14 in Section 5.2 Landform/Aesthetics) says “Conduct a special study to examine the potential for higher land use intensities and taller buildings along the H Street Transit Focus Corridor between Interstate 5 and Third Avenue, and which will also address compatibility issues with adjacent stable neighborhoods. The precise boundaries will be established at the time of the study, and all land use policies contained in this General Plan shall apply until modified as a result of study findings and appropriate amendments to this Plan.” Policy LUT 2.6 requires this study but notes that “all land use policies contained in the General Plan shall apply until modified as a result of study findings and appropriate amendments to the plan.” As such, this study is meaningless and does not control building height or development. This policy cannot act as mitigation because it does not include a timeline requirement for preparation of this special study. CEQA mandates the implementation of feasible mitigation measures for significant impacts. The design guidelines must be prepared and implemented prior to development in the Urban Core that would result in significant impacts.

RESPONSE

- M-5** This comment states that the existing conditions section consists of a four-lined paragraph to address the housing and population on a Citywide basis and that there was no quantified or geographical analysis of housing units. The dEIR contains Table 5.17-1, which summarizes the current population and the total number of housing units within each of the planning areas. This table lists the population and dwelling units for the existing conditions as well as the projected scenarios for the Northwest, Southwest, and East Planning areas as well as the Bayfront.

This comment states that the displacement of people and housing units should both be considered undisclosed, significant adverse impacts. Displacement of people and housing units is disclosed on Pages 579 and 580. With regard to housing, the document states:

Development of the land uses under the Preferred Plan and all three Scenarios would result in houses being temporarily displaced in the Northwest and Southwest Planning Area of the City as individual projects are completed that conform to the plan. (Page 579-580)

And with regard to population it states:

People will be displaced as individual projects are developed in the Northwest and the Southwest planning areas. (Page 580)

The comment suggests that the discussion should conclude that there is a significant adverse impact because of the displacement causing the need to recirculate the dEIR. The comment fails to provide any analysis or facts for the determination of this conclusion. Additionally, it fails to recognize that the threshold against which the impact is assessed includes the condition “. . . necessitating the construction or replacement of housing elsewhere.”

As established in Appendix G of the State CEQA Guidelines, the displacement of housing and population is addressed in two sections of the dEIR. Section 5.17 evaluates the project in light of two thresholds:

- Threshold 2: Displaces substantial numbers of existing housing, necessitating the construction or replacement of housing elsewhere;
- Threshold 3: Displaces substantial numbers of people, necessitating the construction or replacement of housing elsewhere.

The dEIR concludes that because the plan results in a substantial increase in housing within the plan boundaries, construction elsewhere is not required, but is accommodated with the project area (Page 581 of the dEIR). The dEIR discusses the significant physical effects that would result from the provision of housing that would be allowed with the approval of the General Plan Update (Page 581 of the dEIR). Impacts resulting from the projected population growth and the

RESPONSE

development permitted by the Preferred Plan or any of the Scenarios and associated mitigation measures are described in the individual sections of this report.

Furthermore, as discussed on page 580, the dEIR recognizes that people will be displaced as individual projects are developed in the Northwest and the Southwest planning areas. The increase in the numbers of units within these planning areas; however, will be able to accommodate those displaced because the Preferred Plan projects an increase of 3,913 residential units in the Southwest Planning Area, and 7,815 units in the Northwest Planning Area will be able to accommodate the existing population. The extent to which these projects would require construction of housing elsewhere, and, thereby, have a significant housing and population impact as it relates to Thresholds 2 and 3 in the dEIR, will depend upon the nature of each individual project and will require review when details of those projects are known.

M-6 This comment requests a visual simulation of mass and scale of potential development in the Urban Core be provided. The proposed project is a General Plan Update. While it designated land uses, it does not propose any specific use, and no project data is available. Visual simulations are appropriate at a project level when building design and specific locations are available. Detail needed to create visual simulations at this stage in the planning process is highly speculative. The dEIR analyzed the visual quality impacts of the Preferred Plan and all three Scenarios by evaluating whether the plans would result in substantial changes to landforms and visual quality throughout the General Plan area. The dEIR concluded that the increased density within the Urban Core and Montgomery Subareas would result in increased building heights and mass (Pages 212-213 of the dEIR). In the east, currently undeveloped areas characterized by mesas, canyons, and hills would be developed with urban uses.

REVIEW OF THE RECIRCULATED DRAFT EIR

OVERVIEW COMMENTS

The new "Population and Housing" section is cursory and does not acknowledge a significant impact to housing.

The existing conditions for this topical section consists of one four-line paragraph to address both housing and population on a Citywide basis. The only information provided on housing is the total number of units Citywide. There is no assessment of adequacy, condition, distribution or affordability of the City's housing supply. Similarly, there is no quantified or geographical analysis of housing units that would be displaced by the project. Although population is acknowledged as a significant impact, this section concludes that housing impacts are less than significant because displaced housing units can be accommodated within the General Plan area. The ability of the General Plan land use designations to accommodate additional units does not mitigate the housing that will be lost or eliminate the need for 'construction or replacement of housing elsewhere.' The displacement of people and housing units should both be considered undisclosed, significant adverse impacts of the proposed project thus requiring recirculation of the Draft EIR.

M-6 The Recirculated DEIR fails to adequately evaluate or mitigate significant visual quality impacts. A visual simulation of the mass and scale of potential development in the Urban Core (particularly the H-Street corridor) should be provided to disclose impacts.

The Recirculated DEIR concludes that community character and visual quality impacts would be significant and relates both these impacts in part to acknowledging increases in massing, height and intensity in the Urban Core. The 'scale' of allowed development under the Preferred Plan in the Urban Core can and should be evaluated in the EIR with visual simulations of potential massing and height of structures.

General Plan policies without specified timelines do not mitigate significant impacts for which CEQA mandates the provision of feasible mitigation measures.

For example, the new policy (LUT #49.14 in Section 5.2 Landform/Aesthetics) says "Conduct a special study to examine the potential for higher land use intensities and taller buildings along the H Street Transit Focus Corridor between Interstate 5 and Third Avenue, and which will also address compatibility issues with adjacent stable neighborhoods. The precise boundaries will be established at the time of the study, and all land use policies contained in this General Plan shall apply until modified as a result of study findings and appropriate amendments to this Plan." Policy LUT 2.6 requires this study but notes that "all land use policies contained in the General Plan shall apply until modified as a result of study findings and appropriate amendments to the plan." As such, this study is meaningless and does not control building height or development. This policy cannot act as mitigation because it does not include a timeline requirement for preparation of this special study. CEQA mandates the implementation of feasible mitigation measures for significant impacts. The design guidelines must be prepared and implemented prior to development in the Urban Core that would result in significant impacts.

REVIEW OF THE RECIRCULATED DRAFT EIR

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M-7 General Plan policies without specified timelines do not mitigate significant impacts for which CEQA mandates the provision of feasible mitigation measures.

For example, the new policy (LUT #49.14 in Section 5.2 Landform/Aesthetics) says "Conduct a special study to examine the potential for higher land use intensities and taller buildings along the H Street Transit Focus Corridor between Interstate 5 and Third Avenue, and which will also address compatibility issues with adjacent stable neighborhoods. The precise boundaries will be established at the time of the study, and all land use policies contained in this General Plan shall apply until modified as a result of study findings and appropriate amendments to this Plan." Policy LUT 2.6 requires this study but notes that "all land use policies contained in the General Plan shall apply until modified as a result of study findings and appropriate amendments to the plan." As such, this study is meaningless and does not control building height or development. This policy cannot act as mitigation because it does not include a timeline requirement for preparation of this special study. CEQA mandates the implementation of feasible mitigation measures for significant impacts. The design guidelines must be prepared and implemented prior to development in the Urban Core that would result in significant impacts.

M-7 This comment states that policies without timelines for mitigation do not mitigate impacts. Specifically, Policy LUT 49.14, which calls for a special study in the H Street transit focus area, is meaningless and cannot act as mitigation. Policy LUT 49.14 states the following:

Conduct a special study to examine the potential for higher land use intensities and taller buildings along the H Street Transit Focus Corridor between Interstate 5 and Third Avenue, and which will also address compatibility issues with adjacent stable neighborhoods. The precise boundaries will be established at the time of the study, and all land use policies contained in this General Plan shall apply until modified as a result of study findings and appropriate amendments to this Plan. (see also LUT 2.6).

This policy is considered in the EIR but is not presented as mitigation for reducing visual quality impacts. In addition, Policies LUT 49.11 through 49.24 are considered in the EIR and policies associated with Objectives LUT 2, 3, 10, and 11 are presented as reducing visual quality impacts. They are not, however, presented as sufficient mitigation for impacts to visual quality. Page 214 states:

Conformance with the proposed General Plan Update objectives and policies reduce visual quality impacts within the General Plan Update Area resulting from the adoption of the Preferred Plan and all three Scenarios, but not to below a level of significance. Impacts remain significant because of the lack of specific design standards at this time.

RESPONSE

M-8 Meaningful alternatives that 'have the ability to reduce or eliminate significant impacts' have not been evaluated in the Recirculated Draft EIR. The Preferred Plan results in 10 significant, unavoidable adverse environmental impacts and only the Reduced Traffic Alternative eliminates any significant impacts (and it only eliminates the significant traffic impact).

CEQA (Guidelines Section 15126.6) mandates that "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553 and Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 378)."

The alternatives have not been defined as meaningful land use alternatives to attain project objectives and reduce environmental impacts. The Reduced Project alternative arbitrarily selects the least intensive scenarios by district of the scenarios evaluated in the EIR. It is primarily a statistical alternative and is not supported by a land use plan that can be readily compared to the Preferred Plan. Similarly, the Reduced Traffic Alternative is defined by an arbitrary and unreasonable widening of all arterials and roadways that would not achieve acceptable levels of service under the Preferred Plan.

The alternatives have not been redefined and they are not meaningful or understandable. Decision-makers cannot make informed decisions based on the statistical analysis such as the combined land uses of the other scenarios (e.g. Table 11-1). The alternatives have not been defined for their ability to reduce significant impacts. The alternatives section should also review project objectives and not just refer the reader back to their location at the beginning of the document. Clear comparison of alternatives for their ability to achieve project objectives and reduce environmental impacts (particularly significant impacts) has not been provided.

Without the evaluation of additional project alternatives that meet CEQA requirements, City decision-makers will not have been afforded the opportunity to comply with their mandate to "minimize environmental damage and balance public objectives."

Pursuant to CEQA Guidelines Section 15021 (a), "A public agency should not approve a project as proposed, if there are feasible alternatives or mitigation measures that would substantially lessen any significant effects of the proposed project." Since the EIR does not provide project alternatives that eliminate any significant impacts of the proposed project, City decision-makers do not have the required information to comply with this CEQA mandate. A revised EIR is required that provides additional alternative that minimize environmental impacts while attaining the basic objectives of the City's General Plan Update.

The following Air Quality issues are not adequately addressed in the Recirculated Draft EIR:

Lack of Analyses on Nonattainment Pollutants

Page 318. The analysis did not sufficiently evaluate the threshold of significance – expose sensitive receptors to substantial pollutant concentrations. The air quality analysis neglected to demonstrate that

M-8 This comment states that meaningful alternatives have not been evaluated. The dEIR presents a reasonable range of alternatives. Chapter 10 provides a detailed analysis of the No Project alternative, which evaluates development under the existing General Plan. Chapter 11 provides a discussion of three alternatives: (1) Reduced Project Alternative, (2) Community Character Alternative and (3) Reduced Traffic Impact Alternative. For each of these alternatives the purpose for the alternative is identified.

The purpose of the Reduced Project Alternative was to "... evaluate the potential for reducing traffic and traffic-related impacts, such as noise and air quality, and evaluating the potential for reducing the effects on land use and community character" (Page 637). The purpose of the Community Character Alternative was to "... consider the potential to reduce community character effects resulting from increased height and mass of buildings throughout the General Plan area" (Page 644). The purpose of the Reduced Traffic Impact Alternative was to avoid potential traffic effects by increasing the physical capacity of impacted roadways. For each of these alternatives, an issue-by-issue analysis was provided and the extent to which they reduced or eliminated impacts was identified.

RESPONSE

Meaningful alternatives that 'have the ability to reduce or eliminate significant impacts' have not been evaluated in the Recirculated Draft EIR. The Preferred Plan results in 10 significant, unavoidable adverse environmental impacts and only the Reduced Traffic Alternative eliminates any significant impacts (and it only eliminates the significant traffic impact).

CEQA (Guidelines Section 15126.6) mandates that "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553 and Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 378)."

M-9 The alternatives have not been defined as meaningful land use alternatives to attain project objectives and reduce environmental impacts. The Reduced Project alternative arbitrarily selects the least intensive scenarios by district of the scenarios evaluated in the EIR. It is primarily a statistical alternative and is not supported by a land use plan that can be readily compared to the Preferred Plan. Similarly, the Reduced Traffic Alternative is defined by an arbitrary and unreasonable widening of all arterials and roadways that would not achieve acceptable levels of service under the Preferred Plan.

The alternatives have not been redefined and they are not meaningful or understandable. Decision-makers cannot make informed decisions based on the statistical analysis such as the combined land uses of the other scenarios (e.g. Table 11-1). The alternatives have not been defined for their ability to reduce significant impacts. The alternatives section should also review project objectives and not just refer the reader back to their location at the beginning of the document. Clear comparison of alternatives for their ability to achieve project objectives and reduce environmental impacts (particularly significant impacts) has not been provided.

Without the evaluation of additional project alternatives that meet CEQA requirements, City decision-makers will not have been afforded the opportunity to comply with their mandate to "minimize environmental damage and balance public objectives."

Pursuant to CEQA Guidelines Section 15021 (a), "A public agency should not approve a project as proposed, if there are feasible alternatives or mitigation measures that would substantially lessen any significant effects of the proposed project." Since the EIR does not provide project alternatives that eliminate any significant impacts of the proposed project, City decision-makers do not have the required information to comply with this CEQA mandate. A revised EIR is required that provides additional alternative that minimize environmental impacts while attaining the basic objectives of the City's General Plan Update.

The following Air Quality issues are not adequately addressed in the Recirculated Draft EIR:

Lack of Analyses on Nonattainment Pollutants

Page 318. The analysis did not sufficiently evaluate the threshold of significance – expose sensitive receptors to substantial pollutant concentrations. The air quality analysis neglected to demonstrate that

M-9 This comment states that the Reduced Project Alternative is primarily a statistical alternative and is not supported by a land use plan that can be readily compared to the Preferred Plan. As stated on Page 637 of the dEIR, the Reduced Project Alternative was designed primarily to reduce traffic and traffic-related impacts, such as noise and air quality, and evaluating the potential for reducing the effects on land use and community character. In light of the primary purpose for the alternative to reduce impacts resulting from traffic and other traffic-related impacts, it was determined that a land use plan was not necessary to evaluate the effectiveness of the alternative. This is true because the basic data required to assess the effect is based on relative numbers of acres and units, and not specifically on mapped locations. Tables 11-3 and 11-4 of the dEIR provide a comparison of the land use acres and the residential units for the Preferred Plan, all three scenarios with the Reduced Project Alternative.

**TABLE 11-3
ACRES BY SCENARIO/ALTERNATIVE FOR THE UPDATE AREAS**

| Scenario | Land Use | | | | |
|-----------|------------|------------|------------|------|--------|
| | Commercial | Industrial | Open Space | Park | Public |
| 1 | 967 | 632 | 219 | 409 | 935 |
| 2 | 903 | 606 | 141 | 416 | 786 |
| 3 | 982 | 996 | 205 | 357 | 982 |
| Adopted | 955 | 598 | 515 | 154 | 980 |
| Existing | 450 | 252 | – | 17 | 180 |
| Preferred | 914 | 796 | 227 | 458 | 860 |
| Reduced | 903 | 592 | 259 | 458 | 786 |

**TABLE 11-4
RESIDENTIAL UNITS BY SCENARIO/ALTERNATIVE FOR THE UPDATE AREAS**

| Scenario | Subarea | | | Total |
|-----------|------------|------------|------------|--------|
| | Montgomery | Otay Ranch | Urban Core | |
| 1 | 7,679 | 11,658 | 17,090 | 36,427 |
| 2 | 8,400 | 15,585 | 15,664 | 39,649 |
| 3 | 8,997 | 8,805 | 16,178 | 33,980 |
| Adopted | 4,724 | 7,541 | 10,481 | 22,746 |
| Existing | 4,963 | – | 9,499 | 14,462 |
| Preferred | 8,174 | 14,241 | 16,756 | 39,322 |
| Reduced | 7,679 | 8,805 | 15,664 | 32,623 |

As indicated on Page 642 of the dEIR and stated in Appendix H of the Traffic Impact Report, the Reduced Project Alternative represents a 10 percent reduction in traffic. This assessment allows the evaluation of the effectiveness of the alternative to reduce the project's impacts on land use, visual quality/landform alternation, traffic, air quality, noise, utilities and services, and water quality.

As stated on Page 649 of the dEIR, the purpose of the Reduced Traffic Impact Alternative was to avoid potential traffic effects by increasing the physical capacity of impacted roadways. This alternative would upsize the classification of all roadways segments identified as being significantly impacted under the Preferred Plan and each of the Scenarios to reduce these impacts. Upsizing the roadway segments would improve traffic flow and alleviate peak hour congestion.

RESPONSE

Meaningful alternatives that 'have the ability to reduce or eliminate significant impacts' have not been evaluated in the Recirculated Draft EIR. The Preferred Plan results in 10 significant, unavoidable adverse environmental impacts and only the Reduced Traffic Alternative eliminates any significant impacts (and it only eliminates the significant traffic impact).

CEQA (Guidelines Section 15126.6) mandates that "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553 and Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 376)."

The alternatives have not been defined as meaningful land use alternatives to attain project objectives and reduce environmental impacts. The Reduced Project alternative arbitrarily selects the least intensive scenarios by district of the scenarios evaluated in the EIR. It is primarily a statistical alternative and is not supported by a land use plan that can be readily compared to the Preferred Plan. Similarly, the Reduced Traffic Alternative is defined by an arbitrary and unreasonable widening of all arterials and roadways that would not achieve acceptable levels of service under the Preferred Plan.

- M-10** The alternatives have not been redefined and they are not meaningful or understandable. Decision-makers cannot make informed decisions based on the statistical analysis such as the combined land uses of the other scenarios (e.g. Table 11-1). The alternatives have not been defined for their ability to reduce significant impacts. The alternatives section should also review project objectives and not just refer the reader back to their location at the beginning of the document. Clear comparison of alternatives for their ability to achieve project objectives and reduce environmental impacts (particularly significant impacts) has not been provided.

Without the evaluation of additional project alternatives that meet CEQA requirements, City decision-makers will not have been afforded the opportunity to comply with their mandate to "minimize environmental damage and balance public objectives."

Pursuant to CEQA Guidelines Section 15021 (a), "A public agency should not approve a project as proposed, if there are feasible alternatives or mitigation measures that would substantially lessen any significant effects of the proposed project." Since the EIR does not provide project alternatives that eliminate any significant impacts of the proposed project, City decision-makers do not have the required information to comply with this CEQA mandate. A revised EIR is required that provides additional alternative that minimize environmental impacts while attaining the basic objectives of the City's General Plan Update.

The following Air Quality issues are not adequately addressed in the Recirculated Draft EIR:

Lack of Analyses on Nonattainment Pollutants

Page 318. The analysis did not sufficiently evaluate the threshold of significance – expose sensitive receptors to substantial pollutant concentrations. The air quality analysis neglected to demonstrate that

- M-10** The alternatives were not redefined as part of the recirculated EIR, except for the modification of the Community Character Alternative. The potential historic policy was removed from that alternative and an equivalent policy was incorporated into the Preferred Plan. The remaining alternatives provide the decision maker with a reasonable range of understandable alternatives that have the potential to lessen adverse environmental impacts. These alternatives were designed to meet the requirement that they have the potential to achieve most of the objectives of the project while reducing or eliminating impacts. The review of the project objectives as they relate to the alternatives will be provided as part of the findings prepared for the project. The basis for this comparison is provided below.

The No Project Alternative would reduce impacts while still attaining objectives of the City. The No Project Alternative would meet several of the stated objectives presented on Pages 16–18 of the EIR. These include:

- Protect and increase the industrial land use base to provide for higher-value added jobs, and to support the retention and expansion of local businesses and industries.
- Ensure that services and infrastructure expand to match needs created by growth and redevelopment, and to support economic prosperity.
- Continue to develop Chula Vista as a city with a distinct identity.
- Provide and maintain sufficient land for siting a major, four-year college or university, and ensure surrounding land use types, mixes, and residential densities necessary to support its viability and realization.
- Support and encourage sustainable development patterns and practices, such as resource conservation, environmental management, transportation management, and compact development in both public and private projects.
- Provide ample access to, and connections between, Chula Vista's open space and trails network and the regional network, in accordance with the Chula Vista MSCP Subarea Plan, Chula Vista Greenbelt Master Plan, and Otay Valley Regional Park Concept Plan.

The Reduced Project Alternative is considered environmentally preferable to the proposed project because it would provide greater amounts of open space and park land. The Reduced Project Alternative would reduce impacts while still attaining objectives of the City. The Reduced Project Alternative would meet several of the stated objectives presented on Pages 16 – 18 of the EIR. These include:

- Continue to expand the local economy by providing a broad range of business, employment and housing opportunities that support an excellent standard of living, and improve the ability for residents to live and work locally.
- Provide for sufficient land use capacity and density to support revitalization and redevelopment of western Chula Vista.

RESPONSE

Meaningful alternatives that 'have the ability to reduce or eliminate significant impacts' have not been evaluated in the Recirculated Draft EIR. The Preferred Plan results in 10 significant, unavoidable adverse environmental impacts and only the Reduced Traffic Alternative eliminates any significant impacts (and it only eliminates the significant traffic impact).

CEQA (Guidelines Section 15126.6) mandates that "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553 and Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 378)."

The alternatives have not been defined as meaningful land use alternatives to attain project objectives and reduce environmental impacts. The Reduced Project alternative arbitrarily selects the least intensive scenarios by district of the scenarios evaluated in the EIR. It is primarily a statistical alternative and is not supported by a land use plan that can be readily compared to the Preferred Plan. Similarly, the Reduced Traffic Alternative is defined by an arbitrary and unreasonable widening of all arterials and roadways that would not achieve acceptable levels of service under the Preferred Plan.

M-10

The alternatives have not been redefined and they are not meaningful or understandable. Decision-makers cannot make informed decisions based on the statistical analysis such as the combined land uses of the other scenarios (e.g. Table 11-1). The alternatives have not been defined for their ability to reduce significant impacts. The alternatives section should also review project objectives and not just refer the reader back to their location at the beginning of the document. Clear comparison of alternatives for their ability to achieve project objectives and reduce environmental impacts (particularly significant impacts) has not been provided.

Without the evaluation of additional project alternatives that meet CEQA requirements, City decision-makers will not have been afforded the opportunity to comply with their mandate to "minimize environmental damage and balance public objectives."

Pursuant to CEQA Guidelines Section 15021 (a), "A public agency should not approve a project as proposed, if there are feasible alternatives or mitigation measures that would substantially lessen any significant effects of the proposed project." Since the EIR does not provide project alternatives that eliminate any significant impacts of the proposed project, City decision-makers do not have the required information to comply with this CEQA mandate. A revised EIR is required that provides additional alternative that minimize environmental impacts while attaining the basic objectives of the City's General Plan Update.

The following Air Quality issues are not adequately addressed in the Recirculated Draft EIR:

Lack of Analyses on Nonattainment Pollutants

Page 318. The analysis did not sufficiently evaluate the threshold of significance – expose sensitive receptors to substantial pollutant concentrations. The air quality analysis neglected to demonstrate that

- Provide a mix of land uses that meets community needs and generates sufficient revenue to sustain exemplary community services, facilities and amenities.
- Ensure that services and infrastructure expand to match needs created by growth and redevelopment, and to support economic prosperity.
- Continue to develop Chula Vista as a city with a distinct identity.
- Re-emphasize and revitalize the older, downtown Chula Vista core area as the heart of the city through a combination of public, civic, shopping, employment, entertainment, and residential uses.
- Provide and maintain sufficient land for siting a major, four-year college or university, and ensure surrounding land use types, mixes, and residential densities necessary to support its viability and realization.
- Support and encourage sustainable development patterns and practices, such as resource conservation, environmental management, transportation management, and compact development in both public and private projects.
- Provide ample access to, and connections between, Chula Vista's open space and trails network and the regional network, in accordance with the Chula Vista MSCP Subarea Plan, Chula Vista Greenbelt Master Plan, and Otay Valley Regional Park Concept Plan.

The Community Character Alternative is considered environmentally preferable to the proposed project. The Community Character Alternative would reduce impacts while still attaining objectives of the City. The Community Character Alternative would meet several of the stated objectives presented on Pages 16 – 18 of the EIR. These include:

- Protect and increase the industrial land use base to provide for higher-value added jobs, and to support the retention and expansion of local businesses and industries.
- Continue to develop Chula Vista as a city with a distinct identity.
- Re-emphasize and revitalize the older, downtown Chula Vista core area as the heart of the city through a combination of public, civic, shopping, employment, entertainment, and residential uses.
- Provide and maintain sufficient land for siting a major, four-year college or university, and ensure surrounding land use types, mixes, and residential densities necessary to support its viability and realization.
- Support and encourage sustainable development patterns and practices, such as resource conservation, environmental management, transportation management, and compact development in both public and private projects.
- Provide ample access to, and connections between, Chula Vista's open space and trails network and the regional network, in accordance with the Chula Vista MSCP Subarea Plan, Chula Vista Greenbelt Master Plan, and Otay Valley Regional Park Concept Plan.

RESPONSE

Meaningful alternatives that 'have the ability to reduce or eliminate significant impacts' have not been evaluated in the Recirculated Draft EIR. The Preferred Plan results in 10 significant, unavoidable adverse environmental impacts and only the Reduced Traffic Alternative eliminates any significant impacts (and it only eliminates the significant traffic impact).

CEQA (Guidelines Section 15126.6) mandates that "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553 and Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 376)."

The alternatives have not been defined as meaningful land use alternatives to attain project objectives and reduce environmental impacts. The Reduced Project alternative arbitrarily selects the least intensive scenarios by district of the scenarios evaluated in the EIR. It is primarily a statistical alternative and is not supported by a land use plan that can be readily compared to the Preferred Plan. Similarly, the Reduced Traffic Alternative is defined by an arbitrary and unreasonable widening of all arterials and roadways that would not achieve acceptable levels of service under the Preferred Plan.

M-10

The alternatives have not been redefined and they are not meaningful or understandable. Decision-makers cannot make informed decisions based on the statistical analysis such as the combined land uses of the other scenarios (e.g. Table 11-1). The alternatives have not been defined for their ability to reduce significant impacts. The alternatives section should also review project objectives and not just refer the reader back to their location at the beginning of the document. Clear comparison of alternatives for their ability to achieve project objectives and reduce environmental impacts (particularly significant impacts) has not been provided.

Without the evaluation of additional project alternatives that meet CEQA requirements, City decision-makers will not have been afforded the opportunity to comply with their mandate to "minimize environmental damage and balance public objectives."

Pursuant to CEQA Guidelines Section 15021 (a), "A public agency should not approve a project as proposed, if there are feasible alternatives or mitigation measures that would substantially lessen any significant effects of the proposed project." Since the EIR does not provide project alternatives that eliminate any significant impacts of the proposed project, City decision-makers do not have the required information to comply with this CEQA mandate. A revised EIR is required that provides additional alternative that minimize environmental impacts while attaining the basic objectives of the City's General Plan Update.

The following Air Quality issues are not adequately addressed in the Recirculated Draft EIR:

Lack of Analyses on Nonattainment Pollutants

Page 318. The analysis did not sufficiently evaluate the threshold of significance – expose sensitive receptors to substantial pollutant concentrations. The air quality analysis neglected to demonstrate that

- Conserve Chula Vista's sensitive biological and other valuable natural resources.
- Protect Chula Vista's important historic resources.

The Reduced Traffic Impact Alternative would reduce transportation impacts while still attaining objectives of the City. The Reduced Traffic Impact Alternative would meet several of the stated objectives presented on Pages 16 – 18 of the EIR. These include:

- Continue to expand the local economy by providing a broad range of business, employment and housing opportunities that support an excellent standard of living, and improve the ability for residents to live and work locally.
- Maintain and enhance a high quality-of-life for the City's residents by developing and sustaining a healthy, strong and diverse economic base.
- Protect and increase the industrial land use base to provide for higher-value added jobs, and to support the retention and expansion of local businesses and industries.
- Provide for sufficient land use capacity and density to support revitalization and redevelopment of western Chula Vista.
- Provide a mix of land uses that meets community needs and generates sufficient revenue to sustain exemplary community services, facilities and amenities.
- Ensure that services and infrastructure expand to match needs created by growth and redevelopment, and to support economic prosperity.
- Foster a sustainable circulation/mobility system that provides mode of transportation choices, is well-integrated with the city's land uses, and connects the city both internally and to the region.
- Continue to develop Chula Vista as a city with a distinct identity.
- Ensure sufficient housing capacity, density, and variety to meet existing and future needs, and to support the provision of affordable housing.

Meaningful alternatives that 'have the ability to reduce or eliminate significant impacts' have not been evaluated in the Recirculated Draft EIR. The Preferred Plan results in 10 significant, unavoidable adverse environmental impacts and only the Reduced Traffic Alternative eliminates any significant impacts (and it only eliminates the significant traffic impact).

CEQA (Guidelines Section 15126.6) mandates that "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553 and Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 378)."

The alternatives have not been defined as meaningful land use alternatives to attain project objectives and reduce environmental impacts. The Reduced Project alternative arbitrarily selects the least intensive scenarios by district of the scenarios evaluated in the EIR. It is primarily a statistical alternative and is not supported by a land use plan that can be readily compared to the Preferred Plan. Similarly, the Reduced Traffic Alternative is defined by an arbitrary and unreasonable widening of all arterials and roadways that would not achieve acceptable levels of service under the Preferred Plan.

The alternatives have not been redefined and they are not meaningful or understandable. Decision-makers cannot make informed decisions based on the statistical analysis such as the combined land uses of the other scenarios (e.g. Table 11-1). The alternatives have not been defined for their ability to reduce significant impacts. The alternatives section should also review project objectives and not just refer the reader back to their location at the beginning of the document. Clear comparison of alternatives for their ability to achieve project objectives and reduce environmental impacts (particularly significant impacts) has not been provided.

- M-11 Without the evaluation of additional project alternatives that meet CEQA requirements, City decision-makers will not have been afforded the opportunity to comply with their mandate to "minimize environmental damage and balance public objectives."**

Pursuant to CEQA Guidelines Section 15021 (a), "A public agency should not approve a project as proposed, if there are feasible alternatives or mitigation measures that would substantially lessen any significant effects of the proposed project." Since the EIR does not provide project alternatives that eliminate any significant impacts of the proposed project, City decision-makers do not have the required information to comply with this CEQA mandate. A revised EIR is required that provides additional alternative that minimize environmental impacts while attaining the basic objectives of the City's General Plan Update.

The following Air Quality issues are not adequately addressed in the Recirculated Draft EIR:

Lack of Analyses on Nonattainment Pollutants

Page 318. The analysis did not sufficiently evaluate the threshold of significance – expose sensitive receptors to substantial pollutant concentrations. The air quality analysis neglected to demonstrate that

- M-11** This comment states that the EIR does not provide alternatives that eliminate any significant impacts. CEQA does not require that alternatives "eliminate" significant impacts. Section 15126.6(a) of the CEQA guidelines requires that a reasonable range of alternatives be described that "... would avoid or substantially lessen any of the significant effects of the project ..." Mira Mar Mobile Community v. City of Oceanside (2004) 119 CA4th 477 indicates that alternatives need only be environmentally superior to the project in some respects. The dEIR determined that Reduced Project Alternative and the Community Character Alternative would be environmentally preferable to the preferred project or any of the Scenarios. As discussed on Pages 636 and 644 of the recirculated dEIR, each alternative reduces specific impacts.

RESPONSE

M-12

vehicle exhaust which is the largest source of emissions in San Diego County would or would not expose sensitive receptors to substantial pollutant concentrations. A screening analysis was performed for CO, which is in a state of attainment, but not the ozone precursors (NOx), PM10 and PM2.5 which are in a state on nonattainment. These pollutants have severe health effects with diesel exhaust being classified as carcinogenic. The air quality analysis is deficient for not providing a quantitative analysis of these pollutants. With all this new development there would be many more heavy diesel truck usage. There is no analysis of the health effects of diesel particulates on the most vulnerable segments of the population of Chula Vista due to the General Plan update and scenarios.

Insufficient Analysis of the Chula Vista Carbon Dioxide Reduction Plan

Page 318, Air Quality Plans. The General Plan update and scenarios have not been evaluated for consistency with the Chula Vista Carbon Dioxide Reduction Plan. Which scenario produces the greatest reduction in carbon dioxide? Would the General Plan scenarios obstruct the implementation of this plan? Quantification of carbon dioxide emitted under each scenario is necessary to evaluate which plan would be the most preferable plan in the goal of reducing carbon dioxide emissions.

The following Noise issues are not adequately addressed in the Recirculated Draft EIR:

Insufficient Analysis on Vibration Impacts

Page 339, Railway and Trolley Operations. Vibration from existing and future railway usage was not accounted for in the analysis. The General Plan update has policies which promote the use of transit oriented transportation. As such, railway usage should be predicted to increase. However, neither vibration from current or future railway usage was analyzed. This analysis of railways is deficient until existing and future railway vibration as well as other sources of vibration are analyzed.

Insufficient Analysis on Future Aircraft Operations

Page 341, Aircraft Operations. Future aircraft operations were not accounted for in the noise analysis. Aviation forecasts project increases in both passenger and air freight usage. However, only current aircraft operations are analyzed. This analysis of aircraft noise is deficient until future aircraft noise is analyzed.

Flawed Truck Estimate

Appendix G. The basis for the fleet mix percentages used in the modeling of traffic noise are incorrect. Based on the vehicle fleet presented in the EMFAC2002 model for San Diego County, the average percentage of heavy duty gas and diesel trucks is 3.1% whereas the DEIR used 1%. The EMFAC2002 model also has a medium duty truck mix of 7.74% as opposed to the DEIR's assumption that only 2% of the fleet vehicle mix is medium duty trucks. The freeway percentages of trucks seems low also. Please verify with Caltrans as to the proper truck usage on highways. The presence of trucks greatly increase noise levels from traffic. The use of lower medium and heavy duty truck estimates would underestimate the noise impact. Based on these much higher truck estimates, noise levels would be substantially higher than was predicted in the DEIR.

M-12 The potential for development under the Preferred Plan or any of the Scenarios to expose sensitive receptors to substantial pollutant concentrations was determined to be self-mitigated because, as discussed on page 406 of the dEIR, the adoption of Policies EE 6.4 and EE 6.10 will avoid the effect. As stated on page 406 of the dEIR Policy EE 6.4 states:

Avoid siting new or re-powered energy generation facilities, and other major toxic air emitters within 1,000 feet of a sensitive receiver, or the placement of a sensitive receiver within 1,000 feet of a major toxic emitter.

Policy EE 6.10 is as follows:

The siting of new sensitive receivers within 500 feet of highways resulting from development or redevelopment projects shall require the preparation of a health risk assessment as part of the CEQA review of the project. Attendant health risks identified in the HRA shall be feasibly mitigated to the maximum extent practicable in accordance with CEQA, in order to help ensure that applicable federal and state standards are not exceeded.

Additionally, this comment states that there is no screening analysis for ozone precursors (NOx), PM10 and PM2.5. Ozone precursors (NOx) are not a point source pollutant, therefore a hotspot analysis was not performed for the General Plan Update for Ozone. As discussed on Page 390 of the dEIR, about half of smog-forming emissions in the San Diego Air Basin are generated by motor vehicles. In addition, the occasional transport of smog-filled air from Los Angeles only adds to the SDAB's ozone problem. More strict automobile emission controls, including more efficient automobile engines, have played a large role in the steady decrease in ozone levels.

PM₁₀ emissions result from construction of projects and from daily operations in the City. Therefore, a hotspot analysis is not appropriate for the General Plan Update for Ozone. Mitigation is achievable for fugitive dust from construction activities, but the only measures that would reduce those vehicle emissions from daily operations are those that reduce miles traveled on area roads. The General Plan Update includes measures aimed at promoting pedestrian activity and reducing trip lengths and therefore reducing vehicle emissions. The dEIR includes mitigation for PM₁₀ impacts. Mitigation Measure 5.11-1 on page 417 and 418 of the dEIR requires standard construction measures during construction. With the application of these standard construction measures, significant impacts resulting from projected PM₁₀ impacts from construction would be mitigated. Currently, there is no screening model available for PM_{2.5} pollutants.

This comment states that there is no analysis of diesel particulates on the most vulnerable segments of the population. The dEIR addresses the health risks associated with vehicle emissions of diesel particulates on page 406. The dEIR on page 406 recognizes that diesel-exhaust particulate matter emissions are TACs and that these emissions pose a potential hazard to residents. Based on a report from the California Air Resources Board it was clear that health risks can be as high as 1,700 cancers in a million at 20 meters from a high-volume freeway. Accepting this concern, the General Plan Update includes two policies that address this and other toxic effects.

RESPONSE

vehicle exhaust which is the largest source of emissions in San Diego County would or would not expose sensitive receptors to substantial pollutant concentrations. A screening analysis was performed for CO, which is in a state of attainment, but not the ozone precursors (NOx), PM10 and PM2.5 which are in a state of nonattainment. These pollutants have severe health effects with diesel exhaust being classified as carcinogenic. The air quality analysis is deficient for not providing a quantitative analysis of these pollutants. With all this new development there would be many more heavy diesel truck usage. There is no analysis of the health effects of diesel particulates on the most vulnerable segments of the population of Chula Vista due to the General Plan update and scenarios.

Insufficient Analysis of the Chula Vista Carbon Dioxide Reduction Plan

- M-13** Page 318, Air Quality Plans. The General Plan update and scenarios have not been evaluated for consistency with the Chula Vista Carbon Dioxide Reduction Plan. Which scenario produces the greatest reduction in carbon dioxide? Would the General Plan scenarios obstruct the implementation of this plan? Quantification of carbon dioxide emitted under each scenario is necessary to evaluate which plan would be the most preferable plan in the goal of reducing carbon dioxide emissions.

The following Noise issues are not adequately addressed in the Recirculated Draft EIR:

Insufficient Analysis on Vibration Impacts

- M-14** Page 339, Railway and Trolley Operations. Vibration from existing and future railway usage was not accounted for in the analysis. The General Plan update has policies which promote the use of transit oriented transportation. As such, railway usage should be predicted to increase. However, neither vibration from current or future railway usage was analyzed. This analysis of railways is deficient until existing and future railway vibration as well as other sources of vibration are analyzed.

Insufficient Analysis on Future Aircraft Operations

Page 341, Aircraft Operations. Future aircraft operations were not accounted for in the noise analysis. Aviation forecasts project increases in both passenger and air freight usage. However, only current aircraft operations are analyzed. This analysis of aircraft noise is deficient until future aircraft noise is analyzed.

Flawed Truck Estimate

Appendix G. The basis for the fleet mix percentages used in the modeling of traffic noise are incorrect. Based on the vehicle fleet presented in the EMFAC2002 model for San Diego County, the average percentage of heavy duty gas and diesel trucks is 3.1% whereas the DEIR used 1%. The EMFAC2002 model also has a medium duty truck mix of 7.74% as opposed the DEIR's assumption that only 2% of the fleet vehicle mix is medium duty trucks. The freeway percentages of trucks seems low also. Please verify with Caltrans as to the proper truck usage on highways. The presence of trucks greatly increase noise levels from traffic. The use of lower medium and heavy duty truck estimates would underestimate the noise impact. Based on these much higher truck estimates, noise levels would be substantially higher than was predicted in the DEIR.

- M-13** This comment states that there is insufficient analysis of the Chula Vista Carbon Dioxide Reduction Plan. In November 2002, Chula Vista adopted the Carbon Dioxide (CO₂) Reduction Plan in order to lower the community's major greenhouse gas emissions, strengthen the local economy, and improve the global environment. The CO₂ Reduction Plan focuses on reducing fossil fuel consumption and decreasing reliance on power generated by fossil fuels (City of Chula Vista 2002b). This discussion is provided on pages 382 and 399 of the dEIR. The evaluation of the plan was limited to the extent that the General Plan Update would or would not obstruct the implementation of the plan under Threshold 1 of Section 5.11.3. This threshold evaluates the potential of the project to "Conflict with or Obstruct Implementation of the Applicable Air Quality Plan." As noted in the dEIR, the plan establishes 20 action measures to achieve an 80 percent reduction in CO₂ by the year 2010. The basis for the conclusion in the EIR that the proposed update did not obstruct the CO₂ Plan was based on the fact that the General Plan Update included several of those measures, as discussed on page 399 of the dEIR. These include:

- Enhanced pedestrian connections to transit
- Increased housing density near transit
- Site design with transit orientation
- Increased land use mix
- Bicycle lanes, paths, and routes
- Increased employment density near transit

- M-14** This comment states that there is insufficient analysis of vibration impacts. The effect of vibration on future development as a result of the establishment of land use designations resulting from the General Plan Update is speculative. While the land use designations are known, specific uses and type of construction is unknown. Because of the need to have building specifics in order to analyze the effect of vibration, this analysis needs to be done on a case-by-case basis during the CEQA process for subsequent proposed projects.

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vehicle exhaust which is the largest source of emissions in San Diego County would or would not expose sensitive receptors to substantial pollutant concentrations. A screening analysis was performed for CO, which is in a state of attainment, but not the ozone precursors (NOx), PM10 and PM2.5 which are in a state of nonattainment. These pollutants have severe health effects with diesel exhaust being classified as carcinogenic. The air quality analysis is deficient for not providing a quantitative analysis of these pollutants. With all this new development there would be many more heavy diesel truck usage. There is no analysis of the health effects of diesel particulates on the most vulnerable segments of the population of Chula Vista due to the General Plan update and scenarios.

Insufficient Analysis of the Chula Vista Carbon Dioxide Reduction Plan

Page 318, Air Quality Plans. The General Plan update and scenarios have not been evaluated for consistency with the Chula Vista Carbon Dioxide Reduction Plan. Which scenario produces the greatest reduction in carbon dioxide? Would the General Plan scenarios obstruct the implementation of this plan? Quantification of carbon dioxide emitted under each scenario is necessary to evaluate which plan would be the most preferable plan in the goal of reducing carbon dioxide emissions.

The following Noise issues are not adequately addressed in the Recirculated Draft EIR:

Insufficient Analysis on Vibration Impacts

Page 339, Railway and Trolley Operations. Vibration from existing and future railway usage was not accounted for in the analysis. The General Plan update has policies which promote the use of transit oriented transportation. As such, railway usage should be predicted to increase. However, neither vibration from current or future railway usage was analyzed. This analysis of railways is deficient until existing and future railway vibration as well as other sources of vibration are analyzed.

Insufficient Analysis on Future Aircraft Operations

- M-15** Page 341, Aircraft Operations. Future aircraft operations were not accounted for in the noise analysis. Aviation forecasts project increases in both passenger and air freight usage. However, only current aircraft operations are analyzed. This analysis of aircraft noise is deficient until future aircraft noise is analyzed.

Flawed Truck Estimate

- M-16** Appendix G. The basis for the fleet mix percentages used in the modeling of traffic noise are incorrect. Based on the vehicle fleet presented in the EMFAC2002 model for San Diego County, the average percentage of heavy duty gas and diesel trucks is 3.1% whereas the DEIR used 1%. The EMFAC2002 model also has a medium duty truck mix of 7.74% as opposed to the DEIR's assumption that only 2% of the fleet vehicle mix is medium duty trucks. The freeway percentages of trucks seems low also. Please verify with Caltrans as to the proper truck usage on highways. The presence of trucks greatly increase noise levels from traffic. The use of lower medium and heavy duty truck estimates would underestimate the noise impact. Based on these much higher truck estimates, noise levels would be substantially higher than was predicted in the DEIR.

- M-15** This comment states that there is insufficient analysis of aircraft operations. There are no airports within the city of Chula Vista. The nearest airport is Brown Field, located to the south in the city of San Diego. As discussed on Page 161 of the EIR, the adopted Brown Field Airport Land Use Compatibility Plan (ALUCP) established the Airport Influence Area for this airport, which encompasses a limited area of the East Planning Area. A small portion of the plan area is within the Brown Field Airport Influence Area. The Preferred Plan designates a portion of the Otay Valley District area within the Airport Influence Area as Active Recreation and a limited portion for Light Industrial and Open Space. These uses are consistent with the land uses indicated in the adopted Airport Land Use Compatibility Plan.

The noise effects from aircraft activity using Brown Field are discussed on page 455 and noise contours for that facility are provided on Figure 5.12-5. As shown on Figure 5.12-4, the primary source of aircraft noise in the vicinity of the plan area is due to aircraft operations associated with Brown Field. Two other airfields in the area include the Rodriguez Airport and the Imperial Beach Naval Auxiliary Landing, however, the noise contours and flight paths don't impact the General Plan Area boundaries. As concluded in that discussion, from examination of the noise contours for the Brown Field facility, noise from the facility will not impact the plan area (Pages 454-455 of the EIR). Because of the absence of an airport in the city and the lack of regular overflights, a more detailed aircraft analysis was not performed. As discussed on Page 455 of the dEIR, the Preferred Plan designates a portion of the Otay Valley District area within the Airport Influence Area as Active Recreation and a limited portion for Light Industrial and Open Space. These uses are consistent with the land uses indicated in the Airport Land Use Compatibility Plan.

- M-16** This comment states that there is a Flawed Truck Estimate, the average percentage of heavy trucks presented in EMFAC 2002 is 3.1 percent and the dEIR used 1 percent, and the average for medium trucks presented in the EIR is 2 percent while EMFAC uses 7.74 percent. As detailed in the Carbon Monoxide Hot Spot Analysis appendix G, and referenced on page 407 of the dEIR, the air quality analysis used the EMFAC2002 default assumptions for the regional traffic mix distribution. The 1 percent heavy truck and 2 percent medium trucks referenced for Appendix G was used for local streets as part of the noise analysis. As referenced, the traffic volumes used for the noise analyses were obtained from the engineer at the City of Chula Vista for local roads, and from Caltrans for the segments of the freeway nearest the project site.

Using different truck mixes for different analyses is appropriate because the issues at hand stem from different sources. Emissions, as provided by EMFAC2002, are regional and reflect an average fleet condition. Noise analyses is highly localized and is influenced by a specific mix on a particular roadway.

STATUS OF PREVIOUS COMMENTS

M-17 This section reviews updates in the EIR by topical section and also reviews our previously submitted comments to identify which issues have not been adequately addressed.

Previous Comment: Despite potentially significant impacts, there is no “Population and Housing” section in the EIR.

Recirculated Draft EIR

The Housing and Population section is cursory and does not adequately address potential impacts of the General Plan. Housing impacts would be significant. Provision of land use designations within the city to accommodate new housing does not replace the need to provide replacement housing elsewhere. Moreover, the nature of the existing housing that would be impacted is not disclosed. If older, lower cost housing is lost, newer housing will not replace this housing in kind and people will be displaced. Without further analysis both significance thresholds of housing represent significant impacts that need to be disclosed in a Recirculated EIR.

Threshold 1

Correctly concludes that population increase would be substantial.

Threshold 2

M-18 The EIR acknowledges that the General Plan would “result in houses being temporarily displaced in the Northwest and Southwest Planning Area of the City as individual projects are completed that conform to the plan.” It does not identify the number, type, location, or condition of the units that would ultimately be removed. The analysis seems to rest on two assumptions to conclude that the impact is not significant:

M-19 1) the timing is considered “temporary” and 2) the planned number of units allowed under the General Plan exceeds the number to be removed with implementation of the General Plan. Neither assumption is adequate justification for a less than significant conclusion. A temporary impact does not mean it is not significant, particularly because temporary in General Plan timeframes (build out by 2030) could be a long time. Furthermore, the fact that the General Plan allocates additional land designated for housing units does not mean that the housing is not displaced. Housing that is eliminated will require replacement. The Draft EIR needs to identify the location of properties that will change from housing to an alternate use, and identify the condition of housing, type and affordability of housing. Mitigation needs to be provided to assure that available, affordable housing is offered to displaced families.

Threshold 3

The EIR acknowledges that people will be displaced, but does not quantify this impact or identify how the people will be accommodated in future housing. Without additional information and mitigation, this is a significant impact that has not been appropriately disclosed.

M-20 **Previous Comment:** The EIR fails to provide the rationale for using customized Thresholds of Significance that may lower environmental standards for the City.

Recirculated Draft EIR

The LOS standard has been revised to LOS D for the Urban Core.

M-17 This comment states that the housing impacts would be significant and the provision of land use designations does not replace the need to provide replacement housing elsewhere. See Response to Comment M-5. The provision of land use designations does not result in displacement of housing, as it does not provide for housing elsewhere. The dEIR recognizes the fact that development in accordance with the land use designations established by the General Plan Update could cause people to be displaced as individual projects are developed but, at the General Plan level, that displaced housing would be provided within the project boundary.

M-18 This comment states that the EIR does not identify the number, type, location, or condition of the units that would ultimately be removed. Because the project is a General Plan Update no units are proposed to be removed. With a horizon year of 2030, the number, type, location, or condition of the units that could ultimately be removed would be speculative and cannot be known at this time.

M-19 This comment states that the draft EIR needs to identify properties that will change from housing to an alternate use and identify the condition of housing, type, and affordability of housing. No existing housing is designated for an alternate use. Areas that are currently residential will remain residential. Densities will increase and in certain areas mixed use will be permitted. As stated on page 578, the proposed General Plan targets the higher density and higher intensity development into specific areas to protect stable residential neighborhoods and to create mixed-use urban environments that are oriented to transit and pedestrian activity.

M-20 This comment addresses the proposed project itself, not the EIR and will be forwarded to the decision makers for their consideration.

RESPONSE

M-21 Previous Comment: The EIR concludes that the General Plan Update would result in significant, unavoidable adverse impacts to energy, transportation, air quality, and utilities (water supply). Without additional or more appropriate analysis to substantiate otherwise, the EIR should also categorize Land Use and Noise as significant, unavoidable, adverse impacts of the proposed project.

Recirculated Draft EIR

Significant Impacts:

- Energy
- Transportation – 15 non-urban segments and all but 5 freeway segments
- Air Quality – RAQS inconsistency
- Water Supply
- Land Use – Adversely Affect Community Character
- Visual – substantially degrade the existing visual character or quality (includes Urban Core – high rise buildings between 3rd and 4th St in mixed use transit focus area)
- Noise – exposure of existing sensitive receivers to noise
- Utilities – water supply
- Population – significant

Approval of the General Plan Update would require City decision-makers to adopt a Statement of Overriding Considerations concluding that the benefits of the proposed project override all of these of these significant impacts, an unprecedented level in our experience of preparing General Plan EIRs.

M-21 This comment addresses the proposed project itself, not the EIR and will be forwarded to the decision makers for their consideration.



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RESPONSE

November 1, 2005

Ms. Joann Hadfield
THE PLANNING CENTER
1580 Metro Drive
Costa Mesa, CA 92626

Subject: Reissued City of Chula Vista General Plan Update Transportation Study Peer Review

Dear Ms. Hadfield:

Urban Crossroads Inc. is please to provide this peer review of the reissued City of Chula Vista General Plan Update Transportation Study (Kimley Horn and Associates, September, 2005). The study evaluates existing and several broad General Plan alternatives.

The detailed results of our review are summarized in the remainder of this letter. A key concern of the previous review was the recommendation of a reduced LOS standard (LOS E) for a large area of the City located south of the SR-54, west of the I-805 Freeway, north of L Street and east of the I-5 Freeway, without properly emphasizing this change and its effect upon the analysis. The new study now recommends retaining LOS D for the entire City, including this area. This is generally consistent with current City policy that allows up to two hours of LOS D during the day. There is a new sentence in paragraph 2 of page 7 the traffic study mentioning that the capacity of a roadway "is equal to its maximum LOS D volume."

M-22 As discussed in the City's Guidelines for Traffic Impact Studies in the City of Chula Vista (February 13, 2001), Growth Management Oversight Committee (GMOC) analysis is necessarily limited to existing and near-term conditions because it is based on observed conditions, with the data being collected by a specially equipped vehicle. Pursuant to Chula Vista's Growth Management Program and Ordinance, the City monitors the actual performance of designated arterials to determine their LOS based upon observed average travel speed. Although this method is a highly accurate means to determine the current performance of a roadway, it cannot be utilized to predict the performance of roadways under future long-term conditions because it is designed to analyze short-term effects. Therefore, it is not feasible, or technically correct, to evaluate long term conditions using GMOC procedures. ADT-based analysis of roadway and freeway segments provide an appropriate means to identify the impacts of the plan alternatives because it is widely considered to be the most reliable method currently available for this purpose. Existing GMOC analysis of designated city streets is published annually by the City of Chula Vista.

M-22 The previous transportation study failed to indicate the need for growth management program (GMP) analysis. The new study mentions that Section 19.09.030 of the City's

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Municipal Code requires that the General Plan should be consistent with other adopted programs and policies of the City of Chula Vista, including the GMP. However, the discussion (page 4 of the traffic study report) suggests that it GMP analysis has not been completed because this is a long range analysis, rather than a short range analysis. This leaves open the question of how the General Plan update can be demonstrated to comply with GMP requirements, when the requisite analysis has not been performed. There are various methods of predicting future travel speeds on an arterial roadway, including the methods of the 2000 Highway Capacity Manual (HCM), which could be applied in this circumstance. The report specifically notes that the GMP analysis must follow the procedures of the HCM.

- M-23** An area of key concern from the review of the original transportation study (December 2004) was the downgrading of specific facilities, specifically H Street from Broadway to Hilltop Drive. The rationale for downgrading H Street in the December 2004 study was predicated on the difficulty of acquiring right of way due to existing development patterns. The September 2005 study has not been revised in this section and H Street is still presented to be downgraded due to the difficulty of acquiring right of way. As indicated in the review letter dated February 2005, the General Plan is a long range planning tool and right of way could be required as part of the process of approving redevelopment of existing uses as they become outdated and subject to turnover.
- M-24** The new report still does not identify a funding source or implementation mechanism for grade separating the San Diego Trolley line at E Street and H Street.
- M-25** The existing conditions analysis in the Environmental Impact Report (EIR) indicates that H Street from the I-5 Freeway to Broadway experiences LOS D operations under existing conditions and identifies this as an unacceptable operation, in accordance with the currently adopted standards. No mitigation, other than adopting a less stringent standard, is proposed or evaluated in the traffic study report.

- M-23** City staff has developed the updated circulation element based on an assessment of the feasibility of implementation in terms of technical, economic and other considerations. As discussed on page 353 of the recirculated dEIR, in the case of this segment of H Street, it was determined that the widening assumed in the adopted General Plan was not feasible, even under long-term conditions, given the surrounding development context.
- M-24** The City will be receiving funds in accordance with the recent authorization of the Safe, Accountable, Flexible, Efficient Transportation Equity Act- Legacy for Users (SAFETEA-LU). Project 3482 provides 2.16 million to accommodate the improvements at H Street, and the City is seeking to extend this funding to include H Street and other interchanges. Other funding sources will be investigated.
- M-25** The Transportation Study focused on the long-term transportation related impacts of the General Plan Update, using existing conditions as a baseline for comparison (Plan to Ground analysis). The existing performance standard of LOS C is not appropriate in more urbanized contexts, such as Chula Vista's Urban Core. The Transportation Study focused on the long-term transportation related impacts of the General Plan Update, using existing conditions as a baseline for comparison (Plan to Ground analysis). The existing performance standard of LOS C is not appropriate in more urbanized contexts, such as Chula Vista's Urban Core. There are a number of reasons why LOS D is an acceptable performance standard for the Urban Core Circulation Element. Several are related to concepts of urban context and driver expectation. As discussed above, the City of San Diego applies a three-tiered approach, with LOS C in newly developing areas, LOS D in more urbanized locations, and LOS E in the Centre City area. As discussed in a memo from San Diego (see Appendix D of the Transportation Study), drivers in a downtown environment do not expect to pass through built-up areas at high speed. Instead, given the type and intensity of uses, the ability to attract and accommodate visitors becomes a higher priority in the Urban Core or other downtown areas than moving cars. Adhering to an LOS C performance standard would likely require street widening to provide additional capacity, with associated impacts to urban character (e.g., wide, pedestrian-unfriendly streets), not to mention the public costs of acquiring right-of-way.
- Level of Service D is widely used in numerous other cities in the region, many with a primarily suburban character. The San Diego Traffic Engineering Council/Institute of Transportation Engineers (SANTEC/ITE) Traffic Impact Study Guidelines have established LOS D as an acceptable performance standard, regardless of urban/suburban/rural locale. The cities of Coronado, El Cajon, Encinitas, Escondido, National City, Poway, San Marcos, Solana Beach, and Vista use this performance standard. Given that LOS D is widely used in the San Diego region as a minimum performance standard and given that the City's existing performance standard of LOS C is not appropriate for a more urbanized context, the selection of the LOS D performance standard for the Urban Core is appropriate and is implemented in the General Plan.

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The presentation of proposed future conditions has been revised to more directly identify the proposed changes in acceptable LOS for the "urban core" of the City of Chula Vista. The acceptable service volumes have been revised to show lower acceptable service volumes compared to the previous draft of the EIR. For example, a 4 lane Gateway Street is now identified as having an acceptable (LOS D) service volume of 43,200 VPD, rather than the previous value of 48,000 vehicles per day (VPD). Similarly the acceptable service volume for a lane Urban Arterial has been reduced from 42,000 VPD to 37,800 VPD. This change correlates to proposing an acceptable standard of LOS D, rather than the previously recommended LOS E in the older version of the EIR.

- M-26** Although the report cites right of way limitations along H Street as the primary reason for downgrading this facility, the report also notes that H Street has been designated as a Bus Rapid Transit (BRT) route in the South Bay Transit First – Tier One Plan, San Diego Association of Governments, 2003. The discussion of BRT (page 7) makes no mention of dedicated bus lanes and briefly describes the BRT concept as consisting of various strategies to increase vehicle speeds and enhance rider comfort, including fewer stops and assigning priority to a transit vehicle in the traffic stream (traffic signal prioritization techniques or "queue jumper" lanes). Right of way limitations and their impact on the ability to provide queue jumper lanes should be explicitly addressed in the environmental report.

The traffic report (page 14) indicates that the travel demand forecasting used in the analysis was conservative and did not consider BRT service in the assumptions. A separate traffic model that is not described in any detail is referenced in the report as being used to quantify the benefits of BRT service. The traffic report further states that the reduction in vehicular traffic due to BRT in the H Street corridor were "nominal" (page 16), and would only reduce daily traffic volumes by around 500 vehicles per day.

- M-26** Appendix B of the Transportation Study provides an assessment of alternative Transit First implementation strategies on H Street, including roadway widening between the transit station and Broadway. Page 333 of the dEIR summarizes these strategies as follows.

Tier One Plan was prepared by SANDAG (formerly the Metropolitan Transit Development Board) in May 2003. The Transit First concept (also described as Bus Rapid Transit [BRT]), involves the implementation of enhanced transit service strategies designed to improve the attractiveness and viability of transit to capture trips that typically travel by single-occupancy passenger cars. The overall intent is to use improved buses that emulate light rail service by increasing vehicle speeds and rider comfort and convenience. Vehicle speeds are increased due to fewer stops along a given route through the application of a variety of traffic engineering methods (such as traffic signal priority and queue jumper lanes) to assign priority to a transit vehicle in the traffic stream. The South Bay Transit First Plan provides a feasibility analysis of alternative route alignments and station designs throughout the city of Chula Vista.

As part of transit and mobility improvements, SANDAG manages the TransNet program. The City is working with SANDAG to obtain TransNet funding for circulation and mobility improvements. A TransNet extension was approved by San Diego County residents allowing the continuation of transportation funding for 40 years starting at the expiration of the current program in 2008 and continuing until 2048. One third of the entire TransNet revenues are allocated to local jurisdictions. Another third is allocated to regional freeways. TransNet revenues allocated to Chula Vista will increase at a higher rate than the region average due to population growth in Chula Vista. These local revenues are allocated by the City Council for local roadways in Chula Vista. In addition, TransNet will finance freeway improvements on I-805 and I-5 as planned in the RTIP from revenues allocated to regional freeways.

The City is currently conducting a detailed study of BRT options on H Street.

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Page 3

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- M-27** The traffic report (page 14) indicates that the travel demand forecasting used in the analysis was conservative and did not consider BRT service in the assumptions. A separate traffic model that is not described in any detail is referenced in the report as being used to quantify the benefits of BRT service. The traffic report further states that the reduction in vehicular traffic due to BRT in the H Street corridor were "nominal" (page 16), and would only reduce daily traffic volumes by around 500 vehicles per day.

- M-27** The travel demand forecasted for the dEIR on the traffic study used a conservative assumption that future transit services would be limited to existing services. The traffic report contains the results of a roadway segment analysis assuming implementation of the Regional Transit Vision. These details are described in Table 1.2-1 of the Transportation Study. The results of the roadway segment analysis found that the RTV scenario would reduce 24-hour traffic volumes by a nominal amount (about 500 vehicles per day; less than one percent) on H Street between I-5 and Broadway. Even with Regional Transit Vision, the General Plan Update would continue to have significant impacts on seven segments.

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SUMMARY

Based upon our review, it appears that the proposed change in the City of Chula Vista LOS standards is emphasized to a much greater extent than was previously the case. Although the revised analysis would still benefit from further comparisons of existing and future traffic volumes to better illustrate the impact of continued growth on traffic conditions in the City of Chula Vista, The analysis is much more direct in addressing the effects of the proposed changes in LOS standards and how these changes effect the findings and conclusions of the traffic section of the EIR.

Urban Crossroads, Inc. is pleased to provide this review of the Reissued City of Chula Vista General Plan Transportation Study report. Please feel free to contact me at (949) 660-1994 x210 if you have any questions regarding our review of this study.

Sincerely,

URBAN CROSSROADS, INC.

A handwritten signature in black ink, appearing to read 'Carleton Waters', with a stylized flourish at the end.

Carleton Waters, P.E.
Principal

CW:DM:cg
JN:02707-05

RESPONSE

Steve Power

From: Nick Aguilar [naguilar@ucsd.edu]
Sent: Monday, October 31, 2005 7:32 AM
To: Steve Power
Cc: naguilar@ucsd.edu; cfriday@sdcoe.net; rcastrui@sdcoe.k12.ca.us
Subject: Comments to Steve Power, City of Chula Vista Environmental Projects Manager Re: Sections 5.13.3.1 - 5.13.3.6 of the Draft General Plan Update Environmental Impact Report From Nick Aguilar, San Diego County Board of Education, District 2.

Mr. Steve Power AICP
 Environmental Projects Manager
 City of Chula Vista
 276 Fourth Avenue
 Chula Vista, CA 91910

Dear Mr. Powers,

Please include the following comments regarding Sections 5.13.3.1 - 5.13.3.6 in the Environmental Impact Report ("Report") of the Draft General Plan Update:

- N-1** 1. The information in section 5.13.3 of the Report is inconsistent and not sufficiently complete to support the finding articulated in Section 5.13.3.5 that no significant impacts to the provision of school services would result and no mitigation is required. In that regard, section 5.13.3 states at the top of page 478, "As seen in Table 5.13-10, no additional elementary schools would be required in the west upon buildout of the Preferred Plan..." However, Table 5.13-10, at the bottom of page 477, identifies an additional new elementary school need of 3.87 in the Northwest and 1.75 in the Southwest for a total of 5.60 new elementary schools needed in west Chula Vista.
- N-2** 2. The the finding articulated in Section 5.13.3.5 that no significant impacts to the provision of school services would result and no mitigation is required is also inconsistent with the statement in section 5.13.3 that, "Proposed development and the projected increase in the number of elementary, middle school, and high school students under any of the scenarios (Preferred Plan and Scenarios 1,2, or 3) would have a substantial impact on the existing schools since they are already at or near capacity regardless of which is ultimately selected."
- N-3** 3. Although the Report lists associated policies, at pages 479 and 480, that address school services needs, which seems to mitigate the statement at page 478 of the Report that, "Specific sites for CVESD and SHUHSD have not met been determined. Siting and construction of the facilities could have a potential environmental impact.", none of the policies listed at pages 479 and 480 of the Report address the impacts of significant increases in the cost to purchase the land for future school sites. Specifically, the Draft General Plan Update ("Plan") fails to identify potential school sites to be zoned for school uses instead of other uses, such as residential, business, industrial or commercial that make the land more expensive to purchase. For example, in the Otay Ranch development in the east side of Chula Vista, the cost of land has forced SUHSD to purchase a smaller site on which it will be forced to build double or multi-level school facilities, thereby exposing the students and that community to significant environmental impacts.

- N-1** Section 5.13.3 of the EIR has been revised to make the appropriate corrections. The text now indicates that 5.60 new elementary schools will be needed as follows:

As seen in Table 5.13-10, 5.6 elementary schools would be required in the west upon buildout of the Preferred Plan; two would be required in the east.

- N-2** The recirculated dEIR indicates that proposed General Plan Update would result in increased population in each of the Update areas of the city and that demand for schools will continue to increase as the population of the city increases. The EIR acknowledges that population growth resulting from development of the Preferred Plan or any of the scenarios would result in a significant impact to school services because the existing schools are at or near capacity. However, impacts to the provision of school services would be avoided because the policies in the General Plan Update require that school facilities are sufficient to accommodate projected population generated by the proposed update (PFS 10.1) in accordance with the guidelines and limitations of Government Code 65995(b) (Policy PFS 9.1). The dEIR also calls for the City to maintain a set of set of quantitative level of service measures (growth management threshold standards) to assess the relative impact of new facility and service demands created by growth (GM 1.1), and apply those standards, as appropriate, to approval of discretionary projects (GM 1.1), and establishes the authority of the City Council to withhold discretionary approval and subsequent building permits for projects out of compliance with those standards (GM 1.11). Therefore, impacts to the provision of school services are avoided by the implementation of self-mitigating Policies PFS 9.1, PFS 10.1, GM 1.1, and GM 1.11.

- N-3** The EIR specifies the need for 7.60 elementary schools and one additional SUHSD school in addition to the already planned middle and high schools. However, specific sites have not been determined because the provision of school facilities is the responsibility of the school district when additional demand warrants. When proposed as part of a development project, the potential environmental effects can be reviewed by the City of Chula Vista as a Lead Agency pursuant to CEQA. When school construction or modification is completed by the school district, the district is the Lead Agency for purposes of CEQA. At such time that school sites are proposed, they will be reviewed pursuant to CEQA and their environmental impacts analyzed at that time.

RESPONSE

Steve Power

From: Nick Aguilar [naguilar@ucsd.edu]
Sent: Monday, October 31, 2005 7:32 AM
To: Steve Power
Cc: naguilar@ucsd.edu; cfriday@sdcoe.net; rcastrui@sdcoe.k12.ca.us
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Mr. Steve Power AICP
 Environmental Projects Manager
 City of Chula Vista
 276 Fourth Avenue
 Chula Vista, CA 91910

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Please include the following comments regarding Sections 5.13.3.1 - 5.13.3.6 in the Environmental Impact Report ("Report") of the Draft General Plan Update:

1. The information in section 5.13.3 of the Report is inconsistent and not sufficiently complete to support the finding articulated in Section 5.13.3.5 that no significant impacts to the provision of school services would result and no mitigation is required. In that regard, section 5.13.3 states at the top of page 478, "As seen in Table 5.13-10, no additional elementary schools would be required in the west upon buildout of the Preferred Plan..." However, Table 5.13-10, at the bottom of page 477, identifies an additional new elementary school need of 3.87 in the Northwest and 1.75 in the Southwest for a total of 5.60 new elementary schools needed in west Chula Vista.

2. The the finding articulated in Section 5.13.3.5 that no significant impacts to the provision of school services would result and no mitigation is required is also inconsistent with the statement in section 5.13.3 that, "Proposed development and the projected increase in the number of elementary, middle school, and high school students under any of the scenarios (Preferred Plan and Scenarios 1,2, or 3) would have a substantial impact on the existing schools since they are already at or near capacity regardless of which is ultimately selected."

3. Although the Report lists associated policies, at pages 479 and 480, that address school services needs, which seems to mitigate the statement at page 478 of the Report that, "Specific sites for CVESD and SHUHSD have not met been determined. Siting and construction of the facilities could have a potential environmental impact.", none of the policies listed at pages 479 and 480 of the Report address the impacts of significant increases in the cost to purchase the land for future school sites. Spificically, the Draft General Plan Update ("Plan") fails to identify potential school sites to be zoned for school uses instead of other uses, such as residential, business, industrial or commercial that make the land more expensive to purchase. For example, in the Otay Ranch development in the east side of Chula Vista, the cost of land has forced SUHSD to purchase a smaller site on which it will be forced to build double or multi-level school facilities, thereby exposing the students and that community to significant environmental impacts.

N-4 The cost of purchasing land for school sites is not an environmental issue and, therefore, not addressed in the EIR. However, the proposed Public Facilities and Services Element contains the following objective and associated policies that address school siting and location:

Objective PFS 10

Efficiently locate and design school facilities.

Policies:

PFS 10.1: Coordinate and make recommendations to the school districts, property owners and developers on the location, size and design of school facilities relative to their location in the community. Suggest to the school districts that they consider joint use and alternative structural design such as multi-story buildings where appropriate

PFS 10.2: Coordinate with the school districts to maximize student safety at school campuses and public library facilities.

PFS 10.3: Require that proposed land uses adjacent to a school site be planned in such a manner as to minimize noise impacts and maximize compatibility between the uses.

PFS 10.4: Encourage the central location of new schools within the neighborhoods or areas they serve so as to further community development and enhance the quality of life.

Impacts to the provision of school services would be avoided because these policies require that school facilities are sufficient to accommodate projected student population generated by the proposed General Plan Update.

N-4

PR-114

10/31/2005

RESPONSE

- N-5** 4. The Report fails to mention or provide mitigation for the impact of the inadequacy of statutory funding, both in terms of their amount and availability, for the construction of new school facilities needs identified in the Plan. While the developers may be able to meet their school facility funding obligations by paying the statutory fees, that is no consolation to students and parents who are forced to attend schools that may be of lower quality than schools in other parts of Chula Vista because of the inadequacy of the statutory funding. For example, the Report makes no mention of alternative funding sources, such as a portion on the incremental tax generated by redevelopment, that may be used to supplement the school districts' limited schools facility statutory funding.
- N-6** 5. The Report fails to provide any data or other authoritative source to support the statement/conclusion at page 478 that, "...the demographics of households moving into downtown redevelopment areas may have a significantly lower student generation rate than the current household composition." In fact, the recent experience in the redevelopment of downtown City of San Diego has been reported as just the opposite. That is, that the San Diego Unified School District is experiencing great difficulty in providing adequate school facilities in the downtown neighborhoods because the number of students moving into the downtown redeveloped area is much larger than planned.

In conclusion, I would appreciate the inclusion of my comments in the final version of this report and in any discussions with the Planning Commission and/or the Chula Vista City Counsel.

Sincerely yours,

Nick Aguilar, Member
San Diego County Board of Education, District 2

- N-5** Conformance to statutory requirements for the payment of school fees ensures that project impacts to school services remain below a level of significance. Since October 1, 1998, major changes in state law have been enacted which significantly alter the role of cities and local agencies in imposing mitigation measures for projects. The fees set forth in Government Code §65996 constitute the exclusive means of both "considering" and "mitigating" school facilities impacts of projects [Government Code §65996(a)]. The provisions of Senate Bill 50 are "deemed to provide full and complete school facilities mitigation" [Government Code §65996(b)].

Provision of school facilities is the responsibility of the school district when additional demand warrants.

- N-6** The EIR indicates that a change in demographics in the downtown area may have a lower student generation rate than the current household composition. The EIR used a conservative approach by utilizing the same generation throughout the General Plan area, including the downtown area. Therefore, for elementary students, CVESD provided a generation rate of 0.385 for single-family units and 0.2255 for multi-family units. Similarly, for middle school students, SUHSD provided generation rates of 0.11 for single family units and 0.098 for multi-family units; for high school students, the District provided generation rates of 0.221 for single family units and 0.196 for multi-family units (see pages 476-477 of the dEIR).